

LOUISIANA WILD LIFE AND FISHERIES COMMISSION

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P R O C E E D I N G S

BOARD MEETING

Tuesday, March 26, 1974

10:00 o'clock a.m.

H. C. LUTTRELL, Chairman

Wild Life and Fisheries
Building
400 Royal Street
New Orleans, Louisiana

Kathryn G. Chamberlin,
Reporter



Helen R. Dietrich, Inc.
Stenotypists

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P R O C E E D I N G S

. . . The regular monthly Board Meeting of the Louisiana Wild Life and Fisheries Commission was held on Tuesday, March 26, 1974, at 10:00 o'clock a.m., at the Wild Life and Fisheries Building, 400 Royal Street, New Orleans, Louisiana, H. C. Luttrell, Chairman, presiding.

PRESENT WERE:

H. C. LUTTRELL, Chairman
MARC DUPUY, JR., Vice Chairman
J. B. ANGELLE, Director
D. G. BERRY, Member
J. H. LAPEYRE, Member
D. F. WILLE, Member

A G E N D A

MR. TED O'NEIL

1. Consider request from Abbeville Police (19)
Department for use of Commission property
as parking lot for Health Unit.

MR. HARRY SCHAFER

2. Discussion of gill netting at Chandeleur (5;
Island. 77)



3. Accept or approve low bid of \$268,800 submitted by Ayres Material Company, Inc., to plant 60,000 cubic yards of clam shell for oyster culch. (13)

4. Resolution regarding ocean dumping. (15)

MR. ALLAN ENSMINGER

5. Well location on Rockefeller by Pennzoil Producing Company. (22)

6. Superior and Cordell lease for their #1 location on Rockefeller. (24)

- 6a. Contract to renovate gates on Rockefeller. (26)

MR. KENNETH SMITH

7. Consideration of offer from the Texas Game and Fish Commission to grow striped bass fingerlings on a 25 percent return to Louisiana. (28; 51)

MR. RICHARD YANCEY

8. Annexation of property into City of Pineville (33)

9. Consider renewal of lease for two burning pit sites in Webster Parish by United Gas Pipe Line Company. (35)

10. Ruling on Endangered Species Act of 1973. (39)

11. Red Wolf recommendation. (47)



MR. JOE HERRING

12. Request from Department of Public Works for (53)
permission to do soil borings on Red
River Wildlife Management Area.
13. Approval of low bid of \$69,910.93 submitted (55)
by Sims Construction Company for repairs
on Russell Sage Wildlife Management Area.
14. Request from U. S. Naval Reserve to conduct (58)
active duty training in Pearl River
Wildlife Management Area.
15. Extension of contracts on headquarters (60)
facilities for Spring Bayou and Saline
Wildlife Management Areas.
16. Lease on one acre of land Fort Polk Wildlife (63)
Management Area for storage facilities.
17. Service right of way across Sabine Island (67)
Wildlife Management Area.

OTHER BUSINESS

18. Request from Rapides General Hospital for (72)
radio tower use.

NOTE: The following items of business not listed
on the agenda were also considered:

- Appointment of D. F. Wille to Pollution (5)
Committee.



Resolution of appreciation, Louisiana Wild- (69)
life Federation.

Resolution re approval of Louisiana Con- (74)
stitution.

Recognition of Conservationist of the Year
Award to Director J. Burton Angelle. (85)

Announcement re next meeting of Commission. (84;
87)



CHAIRMAN H. C. LUTTRELL: The meeting will come to order, please. I see we have some visitors with us today and, should any of you wish to address the Commission, we ask that you be recognized and state your name and tell us who you are with and so forth before speaking.

We have a rather long agenda and most of us would like to get home during bad weather and I would like to request that we keep this as short as possible. However, we want everyone to feel free to express themselves to their full satisfaction.

As a matter of record, I have a vacancy that I would like to fill on one of the committees. Since Mr. Autin is with us no longer, I would like to appoint for the record Don Wille on the Pollution Committee.

Mr. O'Neil. Ted O'Neil. Ted is not here? Harry.

MR. MAX SUMMERS: Mr. Chairman and Members of the Commission, we have three items on the agenda, the first being to discuss and take action with regard to the gill netting proposal at Chandeleur Island.



By way of background, the law establishing the Breton Bird Sanctuary in the Chandeleur area as well as an area in Lake Borgne around Grand Isle and also Grassy Island established it as more or less a sanctuary to preclude the use of commercial trammel nets and seines. This was established historically by the legislature in 1964 and subsequently carried forward. In more recent times there have been increasing requests and pressures brought to bear with regard to considering including gill nets in this prohibited area, because gill nets have more or less recently come on the scene as a tool employed by the salt water commercial fishermen.

We have considered this and more or less come up with a proposal to offer to the legislature this May to amend or modify Title 56, Sections 417 and 418, to include the prohibition of gill nets, seines, and/or webbing from the designated portion of the Breton Bird Refuge and the Chandeleur chain as well as in one-half mile proximity of Grassy Island and Half Moon Island in Lake Borgne. The more or less language of the law



7

would remain the same. However, with the inclusion of gill nets and/or webbing, it is felt that a paragraph or a sentence is needed in Section A to allow the use of purse seining for menhaden and also the trawling of shrimp in this area designated as the Chandeleur Bird Refuge.

The area has been described and reviewed in its entirety by our attorney and the method used was by using existing land areas and known navigational structures, and he felt that this description we have come up with has a legal basis and could be accepted as a legal description. You were provided with this description for your review and it could be added into the body of Section 417 without any problem.

We would like your consideration on it and possible action approving this submission to the next legislature for their action.

THE CHAIRMAN: Do we have anyone in the audience who would care to speak on this? If not, gentlemen, you have heard Mr. Summers' summation. What is your pleasure?

MR. D. F. WILLE: I would like to bring



one thing up before we move. We are going to revise this thing because the word "trap" can be used in lieu of a lure or anything like that, and also a hand net, so that we won't affect the sports fishermen?

MR. SUMMERS: That is correct. The word "trap" will be deleted.

MR. WILLE: O.K., that's fine, because our people could really interpret that as a little hand net to bring the fish into the boat, really, and write somebody up, and we don't want that.

MR. SUMMERS: That's true.

THE CHAIRMAN: Mr. Veillon, did you want to speak?

MR. EDGAR VEILLON: Thank you, Mr. Chairman. I didn't hear any reference made to the water level out from the Islands that this should refer to. In our resolution last weekend in Shreveport, we referred to the Breton Sound island chain's low water level to the 25-foot water level on all sides of these islands. I think there was a specific thought there and I didn't hear any reference made. I was wondering if Mr. Summers had any



reference to the water level involved.

MR. MARC DUPUY: Mr. Veillon, we thought it best to do it by Lambert coordinates, metes and bounds, and definitive description of the area rather than a 25-foot water depth, and the resolution describes the specific area. Mr. Summers I believe has a plat that he would like to show you.

MR. SUMMERS: The point here was that with existing known land areas and also accepted markers we would have more legal basis than a more or less difficult to determine water depth when establishing a zone or closed zone. Now I didn't mention that the area seaward of this Chandeleur chain, also Breton Island, the closed zone would extend one mile, one statute mile.

MR. VEILLON: As long as we are accomplishing the same thing, that is all we are interested in doing.

THE CHAIRMAN: We felt that the area would be more easily enforced with that type marker.

MR. VEILLON: I can appreciate that.
Thank you, Mr. Chairman.



THE CHAIRMAN: Is there anyone else?

MR. LAPEYRE: I so move.

MR. WILLE: Second.

THE CHAIRMAN: We have a motion that we accept the recommendations of Mr. Schafer. All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Motion carried.

(Text of the legislative proposal referred to above is here made a part of the record.)

RS 56:417 Use of trammel nets, seines, gill nets or webbing of any form prohibited in Breton Bird Refuge: Penalty.

A. To promote the conservation of trout, redbfish and other edible fish in the state, the use of any form of trammel net, seines, gill nets or webbing (ordinarily used for the catching or taking of trout, redbfish or other edible fish) is



hereby prohibited in the waters surrounding the Chandeleur Islands, including Breton Island, North Islands, New Harbor Islands and Free Mason Island -- all of which are commonly referred to as the Breton Bird Refuge.

It is specifically provided that nothing contained in this Act shall prohibit purse seining for menhaden by Louisiana licensed menhaden vessels and/or shrimp trawlers.

A description of the prohibited area is as follows:

Beginning at the most northerly point on the south side of Taylor Pass at Lat. $89^{\circ} 23' 18.476$ N. ($Y-268,131.65$), Long. $89^{\circ} 19' 00.803$ W. ($X-2,642,161.69$). Then run N. $32^{\circ} 30'$ W. for $8-3/4$ miles to a horizontal tank battery located in the vicinity of Battledore Reef and east of Little Battledore Island; thence run N. $30^{\circ} 47'$ E. for 11 miles to the



Mississippi River Gulf-Outlet Channel at a lighted privately-maintained marker known as Station "69-A: and "70-A"; thence N. $16^{\circ} 10'$ E. for 8-1/2 miles to Point Chicot light; thence N. $20^{\circ} 10'$ E. for 13-1/2 miles to Mitchell Key light; thence N. $35^{\circ} 47'$ E. for 20-3/4 miles to Whistle Buoy at the entrance to Gulfport Channel, Lat. $30^{\circ} 07' 00''$ N., Long. $88^{\circ} 55' 08''$ W; thence S. $47^{\circ} 30'$ E. for 4-1/2 miles to a point, one (1) mile north of Chandeleur light; thence southeasterly running parallel to the present inside-outside water line (as described in Section 495) one (1) mile east offshore of Chandeleur, continue in a southerly direction one (1) mile east along the Chandeleur Islands; thence continue southerly one (1) mile offshore east of Palos Island, Boot Island, Stake Island, Curlew



Island, Errol Island, Myth Shoal and Gosier Island to the Mississippi River Gulf-Outlet; thence southwesterly one (1) mile east offshore of Breton Island, continue S. 56° 45' W for 12 miles to the point of origin.

MR. SUMMERS: Our next item of business is our recommendation to accept a low bid submitted by Ayres Material Company to plant 60,000 yards of clam shell in two locations east of the Mississippi River to supplement oyster culch and as a resource disaster grant from the federal government due to last year's spring floods and substantial losses to oysters in the area. We requested and were granted from the federal government, a sum of \$275,000 to do this work. We would recommend that we use the entire amount for shell and that the state or the Division of Oysters, Water Bottoms and Seafoods pay the balance of the sales tax, which would increase the project to over \$275,000 by \$8,250.00.

THE CHAIRMAN: You have heard the proposition. Do I have a motion?



MR. DUPUY: I so move.

MR. BERRY: Second.

THE CHAIRMAN: It has been moved by Mr. Dupuy, seconded by Mr. Berry. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, the Louisiana Wild Life and Fisheries Commission has initiated a shell plant operation in two (2) areas: Bay Gardene Oyster Seed Reservation, Plaquemines Parish and in Petit Pass, near LePetit Pass Island, St. Bernard Parish, and

WHEREAS, the Louisiana Wild Life and Fisheries Commission did request the Louisiana Division of Administration to advertise for bids on the planting



of said shells,

NOW THEREFORE BE IT RESOLVED
that the Louisiana Wild Life and Fisheries
Commission does hereby request the Louis-
iana Division of Administration to issue
a contract to the low bidder, Ayres
Materials Co., of Harvey, Louisiana,
with the low bid in the amount of \$268,800
for the planting of 60,000 cubic yards of
clam shells for oyster culture in two
areas: Bay Gardene Oyster Seed Reserva-
tion, Plaquemines Parish and in Petit
Pass, near LePetit Pass Island, St.
Bernard Parish;

BE IT FURTHER RESOLVED that the
Director be and is hereby authorized to
sign any and all documents in connection
therewith.

MR. SUMMERS: The last item is our recom-
mendation for the Commission to adopt a resolution
concerning ocean dumping. This resolution particu-
larly applies to a request by Dupont and Company
to the Environmental Protection Agency for a permit



to dump heavy metals, including mercury and antimony and some salts, in an area 50 miles off of Southwest Pass, Louisiana.

In essence, the resolution asks that the federal agency not grant this permit. I think you have a copy and have seen the details of the resolution. We recommend that the Commission pass favorably on this resolution.

MR. BERRY: So move.

MR. LAPEYRE: Second.

THE CHAIRMAN: Moved by Mr. Berry, seconded by Mr. Lapeyre. All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Motion carried.

MR. DUPUY: Mr. Chairman, just by way of observation, I notice in the morning paper, The Times-Picayune, an article by Miss Cornelia Carrier, about a similar resolution in opposition by the Gulf States Marine Fisheries Commission, and our resolution is very similar to that.

MR. SUMMERS: That is correct, and I am



advised, too, that the State of Texas has taken similar action in other situations concerning dumping in offshore waters off the coast of Texas. Thank you, gentlemen.

(Text of the resolution
is here made a part of
the record.)

WHEREAS the designated ocean dumping site (28° 00' N, 28° 10' N latitude; 89° 15' W, 89° 30' W longitude) generally located 50 miles south of Southwest Pass, Louisiana (Mississippi River) is situated too close to valuable fishing and potential fishing areas in the northern Gulf for allowing 104,700 tons of any type of organic salts and/or heavy metals to be released, and

WHEREAS EPA had established November 1, 1973, as the date for the termination of ocean dumping, and

WHEREAS, regardless of the site selected for ocean dumping in the Gulf, sober reevaluation should be made



due to the economic importance of the fishing industry to Louisiana, in which landings of 1,396,214,000 pounds of fishery products valued at \$72,630,000 were recorded in 1971, and

WHEREAS no substantial studies have been completed delineating the shore and long term effects of the dumping of various chemical compounds on the marine environment in the Gulf, as well as the biodegradation, if any, and movement of these chemicals from the dumping site by prevailing Gulf currents, which are inadequately known, and

WHEREAS, prior to any dumping off the northern Gulf coast, we deem it necessary for demonstration of documented evidence, including substantial studies of the effects of all materials to be dumped in the Gulf of Mexico which may affect marine and estuarine-dependent species, as is the case with Environmental



Impact Statements,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission strongly opposes the issuance of Permit No. 730D006B and opposes all future ocean dumping until comprehensive studies have proved that no damage (lethal or sublethal) will occur, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to EPA, Region VI, Dallas, Texas.

THE CHAIRMAN: Mr. Ensminger. I beg your pardon, Mr. Ensminger. I see Ted O'Neil is back and we had skipped him. Would you like to clear yours up, Ted?

MR. TED O'NEIL: Mr. Chairman and Gentlemen of the Commission, the Police Department and the Health Unit in Abbeville have requested that we allow the Health Unit people to park on the property that the Commission owns just adjacent to the Health Unit. I have looked it over and it is a piece of property 56 x 80 feet. We purchased



this property in 1954 for the purpose of fur sales. On the property there is an old brick building that was used as the original pumping house for the Abbeville waterworks. There is a parking place there but the building is a hazardous looking thing and I would like to know what the Commission's suggestions are on that. We would like to clear the property up, I think. It is an eyesore for the city.

THE CHAIRMAN: Mr. O'Neil, did you contact these people to find out if they would be willing to clean up the property at their expense?

MR. O'NEIL: I called them and they said they would. Now they said they would shell the parking place but they weren't definite about tearing down the old building but the Chief of Police said he thought he could get someone to take the building down for the brick in it. There is a tower and we haven't discussed the tower at great length. There is a radio tower there that must come down or should come down.

MR. BERRY: How tall is this tower?

MR. O'NEIL: It is about a hundred feet.



MR. ROBERT SMOTHERS: 140.

MR. O'NEIL: 140. It is guy line tower, has guy lines on it.

MR. BERRY: How old is it?

MR. SMOTHERS: It is 17 years old.

THE CHAIRMAN: Gentlemen, I would suggest, if I may, that we leave the working out of the details of this transaction to Mr. O'Neil and to our Director, if it meets no opposition. I think they can work out the details.

DIRECTOR ANGELLE: Mr. O'Neil, would it be your recommendation that this matter be turned over to the Director to determine what needs to be done and what should be done and report to the Board at the next meeting?

MR. O'NEIL: That would be good.

THE CHAIRMAN: Yes, that would be good. Just go ahead and do it. We have no objections. Then we can ratify it at the next meeting. Do I have a motion to do that, to turn it over to the Director?

MR. BERRY: So move.

MR. WILLE: Second.



THE CHAIRMAN: It has been moved by Mr. Berry and seconded by Mr. Wille. All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: All opposed, no.

(No response)

The motion is carried. Now Mr. Ensminger.

MR. ALLAN ENSMINGER: Mr. Chairman and Gentlemen of the Commission, we have received a request from Pennzoil Producing Company to construct an access route on Rockefeller to service one of their existing leases. We have reviewed this matter and find that this work can be done under terms and conditions to protect the interests of the Refuge and I would like to recommend that this be adopted.

THE CHAIRMAN: You have heard the recommendation. Do I have a motion?

MR. DUPUY: I so move.

MR. WILLE: Second.

THE CHAIRMAN: Moved by Mr. Dupuy, seconded by Mr. Wille. All in favor, say aye.

IN UNISON: Aye.



THE CHAIRMAN: All opposed, no.

(No response)

So ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, the Louisiana Wild
Life and Fisheries Commission has
received a request from Pennzoil
Producing Company to construct an
access canal to service State Lease
2340, Well No. 14, and

WHEREAS this work can be
performed under strict terms and
conditions to protect wildlife
interest,

NOW THEREFORE BE IT RESOLVED
that Pennzoil Producing Company shall
hereby be given approval to construct
an access canal on State Lease 2340,
Well No. 14, under certain terms and
conditions agreed to by Pennzoil
Producing Company to protect Rockefeller



Wildlife Refuge, and

THEREFORE BE IT FURTHER RESOLVED
that the Director is hereby authorized to
sign all documents relating to this request.

MR. ENSMINGER: The next matter is a
request from Superior Oil Company to utilize an
existing canal on Rockefeller to service a new
well location on State Lease 6209. What they pro-
pose to do here is clean out the existing well to
a dry hole location and then directionally drill
a well out on this new lease in one of our water-
fowl impoundments, and it would be the most desir-
able access route to reach this, and I would recom-
mend that the Commission authorize this request.

MR. BERRY: I so move.

MR. DUPUY: Second.

THE CHAIRMAN: It has been moved by Mr.
Berry, seconded by Mr. Dupuy. All in favor, say
aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.



(Text of the resolution
is here made a part of
the record.)

WHEREAS the Louisiana Wild
Life and Fisheries Commission has
received a request from Superior Oil
Company for permission to maintain
an existing canal on Rockefeller Wild-
life Refuge in order to drill a direc-
tional hole on State Lease 6209, and

WHEREAS this access would
create no disturbance to the waterfowl
impoundment adjacent to the existing
canal,

NOW, THEREFORE, BE IT
RESOLVED that the Louisiana Wild Life
and Fisheries Commission does hereby
grant permission to the Superior Oil
Company and Ballard & Cordell Corpor-
ation to utilize the existing canal
which originally serviced State
Lease 2353, Well No. 1. This work is
to be performed under certain terms



and conditions to protect the wildlife interest of Rockefeller Wildlife Refuge, and

THEREFORE BE IT FURTHER
RESOLVED that the Director is hereby
authorized to sign all documents per-
taining to this location.

MR. ENSMINGER: The next matter I have for your consideration is a tabulation of bids for repairs to one of our water control structures on Rockefeller. This is a structure that is located near the Gulf in Big Constance Bayou and we have prepared plans and specifications for installing stainless steel radial lift gates in this structure. The structure was installed back in the early 1960's and the existing steel gates have rusted out. This permits salt water intrusion into the Refuge and on through the canal system into the Mermentau basin. Annually we have to go in and plug up canals with earthen fills to prohibit this.

I would like to recommend that the low bid in the amount of \$48,822, submitted by Louisiana Metal Culvert, Inc., be accepted for the



construction of these stainless steel gates.

THE CHAIRMAN: You have heard the recommendation. Is there any discussion? Do I have a motion?

MR. LAPEYRE: I so move.

MR. BERRY: Second.

THE CHAIRMAN: It has been moved by Mr. Lapeyre, seconded by Mr. Berry. All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS plans and specifications have been prepared and advertised for the construction of three (3) radial lift gates to be constructed of stainless steel for use in the Big Constance Bayou control structure, and

WHEREAS the Division of



Administration has advertised and has received two (2) competitive bids for this work, and

WHEREAS Louisiana Metal Culvert Inc. of Baton Rouge was the low bidder in the amount of \$48,822.00,

NOW THEREFORE BE IT RESOLVED that the Division of Administration be requested to issue a contract to the low bidder for the construction of these stainless steel gates, and

BE IT FURTHER RESOLVED that the Director is hereby authorized to sign all documents pertaining to this contract.

THE CHAIRMAN: Mr. Smith.

MR. KENNETH SMITH: Mr. Chairman and Members of the Commission, we have a proposal from the Texas Parks and Wildlife people that if we can furnish them approximately a million striped bass fry from our hatchery at Monroe, they would agree to return 25 percent of the surviving fingerlings to Toledo Bend Reservoir. The fry are tiny fish,



about the size of mosquito larvae, that are freshly hatched from the striped bass eggs. We obtain these eggs from the D'Arbonne Reservoir around Farmerville.

This would be based on two conditions. First, of course, there is nothing mandatory or obligatory about supplying them with the fry. This would be only if we produced more than we can accommodate in our state hatcheries. We can grow about a million in our hatcheries ourselves. Also, I was attempting to contact these people in Texas this morning and they were in an executive meeting. I was trying to get them to agree to the condition that we would have these fry to release anywhere in the State we wanted to, not necessarily Toledo Bend. If it please the Commission, I could attempt to contact them again and if they would waive this condition, fine. If they didn't, I would still recommend that we go along with them and have these surviving fingerlings placed in Toledo Bend, because this is a fairly popular fishery in that area. This is the crux of the proposal.

MR. BERRY: I so move.



DIRECTOR ANGELLE: Kenneth, at this time within your department, as I appreciate it, you have the ability to produce the fry.

MR. SMITH: Yes, sir.

DIRECTOR ANGELLE: But we do not have the ability in rearing the fry to the fingerling size?

MR. SMITH: We can accommodate approximately a million fry in our own hatcheries, but we are so limited in hatchery space that it is fairly easy, once you get the hatchery in production, it is fairly easy to produce additional fry, which we could not accommodate over and above the million.

DIRECTOR ANGELLE: The point I am making, your fisheries section at this time is in dire need of enlarging your rearing ponds.

MR. SMITH: Yes, sir. We simply don't have the ponds.

DIRECTOR ANGELLE: And the reason that you haven't been able to enlarge it is because you had the money to do it, is that correct?

MR. SMITH: We have 34 big acres of pond. That is all we have in Louisiana. Other



states have from 400 acres on up, and we are really hamstrung with our limitation of pond space in this state. This, of course, interferes with our striped bass program and any other research program, such as we are looking at the white imura as weed control, you see, so we are in sort of dire need of pond space.

DIRECTOR ANGELLE: And I would assume that you would be in favor of raising the fishing license fee and using this money with matching federal funds to be able to enlarge that hatchery area. Is that correct?

MR. SMITH: Yes, sir. You can put me down on that.

THE CHAIRMAN: Now with that explanation, is there any other discussion? If not --

MR. BERRY: I so move.

MR. DUPUY: Second.

THE CHAIRMAN: It has been moved by Mr. Berry, seconded by Mr. Dupuy. All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: All opposed, no.



(No response)

carried.

(Text of the resolution
is here made a part of
the record.)

WHEREAS the Texas Parks and
Wildlife Department has offered to
rear excess striped bass fry, over
and above the needs of the Louisiana
Wild Life and Fisheries Commission
which are produced from fish in
D'Arbonne Lake and return 25 percent
of the surviving fingerlings to Toledo
Bend Reservoir, and

WHEREAS these fingerlings
would have a much greater chance of
survival than if the fry were released
directly into the reservoir, and

WHEREAS the fingerlings
would increase the number of harvest-
able fish available to Louisiana
anglers,

THEREFORE BE IT RESOLVED



that the Louisiana Wild Life and Fisheries Commission go on record as approving the shipment of one million striped bass fry to the State of Texas to be returned to Toledo Bend on a 25 percent basis.

THE CHAIRMAN: All right, Mr. Yancey.

MR. RICHARD YANCEY: Mr. Chairman and Members of the Commission, we have a letter from the City of Pineville, advising that they plan to extend the city limits of the City of Pineville to include some additional acreage. In this addition the Wild Life and Fisheries owns a small tract of land and it has its District Three Office located on this property.

They are asking that we furnish them with a letter of no objection to their extending the city limits of the City of Pineville. We have looked into this and as best we can determine, we would probably get some benefits out of it, so we would recommend that you authorize the Director to mail them a letter of no objection to their taking that action.



THE CHAIRMAN: You have heard the recommendation of Mr. Yancey. What is your pleasure, gentlemen?

MR. DUPUY: I so move.

MR. WILLE: Second.

THE CHAIRMAN: Moved by Mr. Dupuy and seconded by Mr. Wille. All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Motion carried.

(Text of the resolution
is here made a part of
the record.)

WHEREAS the City Council for the City of Pineville is planning to annex additional property by extending the existing city limits; and

WHEREAS, a part of the land area to be added includes the District III office site of the Louisiana Wild Life and Fisheries Commission; and

WHEREAS the Commission has



been requested to take a position in regard to this matter by letter dated March 11, 1974, and signed by Mr. William H. Ledbetter, Jr., attorney, Alexandria, Louisiana;

NOW THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission has no opposition to the inclusion of its District III office site within the city limits of Pineville.

MR. YANCEY: For a number of years United Gas Pipe Line Company has had a lease to operate and maintain two small burning pits immediately adjacent to the shoreline of Lake Bistineau in Webster Parish. The original lease was issued by the Lake Bistineau Game and Fish Commission, which had jurisdiction over the lake at that time, and then it was later leased again by this agency. The lease is getting ready to expire October 15, 1974, and they are asking for a five-year renewal to continue to maintain and operate these two small 50-foot square burning pits.



They have sent a check in here in the amount of \$50 and I believe it was the general feeling that they should pay a little more than that and at least go to \$100 for this. If we get them to agree to this, we would like to recommend that you authorize the Director to execute this lease.

MR. WILLE: Dick, we are going to get clearance from the air pollution people first, aren't we? Before we renew it?

MR. YANCEY: We have had this checked out by Bob LaFleur, the Chief of our Water Pollution Control Division, and also Kenneth Smith of our fisheries section, and they see no problem with it. Certainly they will have to comply with any regulations of the air pollution control agency that may exist.

MR. WILLE: We have no control over the air pollution, have we?

MR. YANCEY: No, sir. That is up to them and all of these people have to live within the regulations set up by that agency.

MR. WILLE: Didn't we make a request of



the air pollution people to get clearance on that thing and we haven't had a return on it yet?

MR. SMITH: Mr. Wille, I did request that a copy of the proposal be sent to the technical secretary of the air control commission. I think he has not responded, but in any event --

MR. WILLE: Well, what I am saying, if he responds in the negative on this thing, what are we going to do if we approve it?

MR. YANCEY: Well, if he won't permit them to burn, that problem will be between that agency and United Gas Pipe Line.

MR. BERRY: Sounds like getting a driver's license, which doesn't give you the right to go out and speed and break the law. If they want to break some other law, that's their problem, not ours.

MR. WILLE: Now my second question, Dick, is are we going to have to lower the lake so they can burn the pits? (Laughter)

MR. YANCEY: No, we won't get into that controversy at this time, I hope.

MR. BERRY: I so move.



MR. WILLE: Second.

THE CHAIRMAN: We have a motion before the house, seconded by Mr. Wille. All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: All opposed, say no.

(No response)

Motion carried.

(Text of the resolution
is here made a part of
the record.)

WHEREAS United Gas Pipe Line Company, by letter dated March 15, 1974, has requested a five-year lease renewal on two small burning pits adjoining the shoreline of Lake Bistineau in Webster Parish; and

WHEREAS, this company has offered \$50 in payment for this lease renewal;

NOW THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby



authorize the Director to effect the five-year lease renewal agreement provided a payment of \$100 rather than \$50 is received; also, provided assurances are received that the State's Air Control Commission's regulations are complied with.

MR. YANCEY: The Endangered Species Act, i.e., Public Law 93-205, went into effect, signed by the President in December, 1973, and this raised some rather serious questions as to the authority of the State to capture any type of endangered species such as the alligator for restocking purposes or, as we have done for the past several years, when we get complaints from the citizens around the state that a certain alligator has come into their backyard and is posing a threat to life or property, then they call us and we have one of our men go out and move this animal back to the swamp somewhere.

We have had our attorney look at the provisions of this Act and a literal interpretation of the Act would imply that the Commission no longer



has the authority to capture and handle endangered species such as alligators for either restocking purposes or for handling these nuisance alligators. As you all know, we have been sending these animals out to Arkansas and Mississippi for transplanting purposes and we also had agreed to furnish the Audubon Society 2,000 for restocking purposes in other southeastern states. As best we can determine now, this new Act would preclude this type of activity.

On March 6, the Director, Mr. Angelle, forwarded a letter to Secretary of the Interior Rogers Morton and requested a ruling on whether or not the Commission could continue with this type of activity and be in compliance with the law. Section 9 of that particular statute states that it is unlawful for any person subject to the jurisdiction of the United States to take any endangered species within the United States, with "person" being defined in Section 3 as a state agency and "take" being defined in the same section as "pursue and capture".

In Section 6 it states that there is



allowed a certain transition or establishment period for the endangered species except those that are listed on Appendix I, which is the case with regard to the alligator.

This letter has been forwarded to the Secretary of the Interior, asking that they advise as to how we stand in this matter, and we would like to recommend that you ratify the action taken by the Director in sending this letter on March 6. Up until this point, no response has been received, but we are getting calls now from a lot of people around the state that are complaining about a nuisance alligator on their property and they want us to come and move them and right now we are holding up in going ahead with this activity as we have done for the past several years. Our people are in somewhat of a quandary about how to handle this situation and still not be in violation of this Congressional Act.

MR. WILLE: Dick, what are you going to do when they get into the Lake Charles swimming pool?

MR. YANCEY: Well, we have asked in this



letter also that they furnish us with telephone numbers and names of people in the Bureau of Sport Fisheries and Wildlife that we can refer these calls to, so hopefully this will also be resolved by this letter.

THE CHAIRMAN: Is there any other discussion?

MR. WILLE: How many times last year did we remove alligators from the Lake Charles swimming pool?

MR. YANCEY: Well, there were probably about a thousand calls received last year, and Greg Lescomb back here worked up a figure of about 350 that were actually moved. Now this is just without really digging into the thing to find out how many our people actually handled, but they numbered well on up into the hundreds.

THE CHAIRMAN: Gentlemen, you have heard the recommendation. What is your pleasure?

MR. DUPUY: So move.

MR. BERRY: Second.

THE CHAIRMAN: Moved by Marc Dupuy, seconded by Mr. Berry. All in favor, say aye.



MR. LAPEYRE: This is a motion to ratify?

THE CHAIRMAN. Yes.

MR. BERRY: Four or five months ago a friend of mine in the Bayou Vista area subdivision called me about two o'clock in the morning. He said, "You are on the Wild Life and Fisheries Commission, aren't you?" I said, "Yes." He said, "Well, I have got a bear in my back yard, getting in my garbage can." I said, "When he gets back --" and he said, "Get back? He's there now. I want you to come get him out." I said, "I will make a deal with you, friend. You rassle your bears and I will rassle mine if one gets in my garbage can."

MR. YANCEY: Well, we periodically get calls to move black bear that have come into somebody's back yard. We do this. This isn't on the endangered species --

THE CHAIRMAN: Pardon me, Mr. Yancey. I didn't get a vote. We have a motion and a second to ratify the action of the Director. May I get the vote and then we can discuss this? All in favor, say aye.

IN UNISON: Aye.



THE CHAIRMAN: All opposed, say no.

(No response)

So carried.

(Text of the resolution
is here made a part of
the record.)

WHEREAS the United States
Congress in December, 1973, enacted
Public Law 93-205 pertaining to
Endangered Species; and

WHEREAS the provisions of
this Act in several ways preclude the
continued management by the State of
certain resident forms of wildlife that
are on the Endangered Species List,
particularly the American Alligator; and

WHEREAS the Director of the
Louisiana Wild Life and Fisheries Com-
mission by letter dated March 6, 1974,
has requested a ruling from the U. S.
Secretary of the Interior as to
whether or not alligators can be
captured by agents of the Louisiana



Wild Life and Fisheries Commission for transplanting purposes to other states or for the purpose of reducing risks to human life or property; and

WHEREAS questions have been raised regarding the Commission's conducting a third experimental alligator harvest season in 1974;

NOW THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby ratify the action taken by its Director in forwarding the letter dated March 6, 1974, to the Secretary of the Interior requesting that rulings be made pertaining to these matters.

THE CHAIRMAN: Now, I am sorry, but I needed to get that vote.

MR. YANCEY: Right. Well, black bear are moved by employees of the Commission periodically when they move into town or become a problem to someone. They are captured with a tranquilizer gun and then hauled back to the swamp and released



but that is not an endangered species yet, so we still clearly have the authority to continue with that type of activity.

MR. LAPEYRE: How does a species get off the endangered list?

MR. YANCEY: This is another question that is going to have to be resolved. As you know, at the last meeting the Commission adopted a resolution requesting that the alligator be removed from the endangered species list for a portion of Louisiana, the southwestern part of the state where we have extremely high populations of these animals. Now these resolutions have to -- from this agency don't go directly to the Interior Department; they go to the Governor's office and then he forwards the resolution on to the Secretary of the Interior with this request. This is a procedure outlined in this public law that Congress adopted.

All requests to take an animal off the list have to go through the Governor's office and then on into the Secretary of the Interior and then it is between the Secretary of the Interior and



the Secretary of Commerce to determine whether or not they will agree to taking the animal off the list. It is a rather complex procedure.

MR. LAPEYRE: There is nothing specified in the law as to numbers and so forth that they are guided by?

MR. YANCEY: No, sir. I think if we were dealing on a basis of numbers we wouldn't have any difficulty, but there is a tremendous amount of flexibility left in the hands of the Secretary of the Interior about placing or removing an animal from the list, so they just have the final say-so and that is the way the law is set up now.

THE CHAIRMAN: O.K., Mr. Yancey.

MR. YANCEY: All right. To continue with the discussion on endangered species a little bit further, we had a gentleman with the Bureau of Sport Fisheries and Wildlife appear before the Commission yesterday afternoon and ask that the Commission make available Marsh Island and other state refuges for consideration as release sites for the red wolves, which are also an endangered species. Of course, it is our view that Marsh



Island would be totally unsuitable for that purpose inasmuch as it floods out periodically from hurricane tides, water depths that range anywhere from three to ten feet over the Island, and we don't think it would be practical at all to take these animals and release them out there with any hope of building up a population.

But, in order that the Commission would be in a position to show its interest in this matter, we suggested that a resolution be adopted that you have a copy of before you, which states that this animal is endangered, we recognize this, that it has declined in numbers to a critical level. There are only a few remaining red wolves left in the small area of Texas and Louisiana and this is threatened, and we would recommend that the Bureau of Sport Fisheries and Wildlife which owns and administers about 250,000 acres of wildlife refuge lands in Louisiana stock some of their lands with these animals and develop optimum populations, so that this particular endangered species can be preserved.

THE CHAIRMAN: You have heard the



recommendation. Is there any discussion? Do I have a motion?

MR. DUPUY: I so move.

MR. BERRY: Second.

THE CHAIRMAN: It has been moved by Mr. Dupuy and seconded by Mr. Berry: All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: All opposed, no.

(No response)

Carried.

(Text of the resolution
is here made a part of
the record.)

WHEREAS the U. S. Bureau of Sport Fisheries has this date brought to the attention of the Louisiana Wild Life and Fisheries Commission that the Red Wolf is a critically endangered species, a fact of which the Commission is very much aware; and

WHEREAS the range and population of Red Wolves has continued to decline



to critical levels; and

WHEREAS the only remaining wild Red Wolves are confined to a small area of southeastern Texas and southwestern Louisiana; and

WHEREAS continued expansion of the range of the coyote and resulting hybridization of Red Wolves with coyotes and domestic canines threatens the genetic survival of the small remaining Red Wolf population; and

WHEREAS presently the only means of preventing the eminent extinction of the species, in the wild, is the establishment of a reproductively isolated population of Red Wolves; and

WHEREAS the Bureau of Sport Fisheries and Wildlife owns and administers approximately 250,000 acres of wildlife refuge lands in Louisiana,

THEREFORE BE IT RESOLVED



that: We, the Louisiana Wild Life and Fisheries Commission, are gravely concerned about our endangered wildlife and

BE IT FURTHER RESOLVED that:
The U. S. Bureau of Sport Fisheries and Wildlife be requested to establish an optimum wild population of genetically-pure red wolves on one or more of its wildlife refuges in Louisiana.

THE CHAIRMAN: Joe, would you hold just a minute? I would like to call Kenneth Smith back to the mike. Kenneth, for the benefit of the press and maybe some of the others who got the agenda yesterday, I notice on yesterday's agenda, about the growing of the striped bass, we were dealing with the Marine Products Company of Florida and on today's we are dealing with the Texas Game and Fish Commission. Of course, I know the reason but I thought an explanation might help them.

MR. SMITH: Yes, sir. The reason that it wasn't on the agenda is that the Marine Products Corporation in Florida is a private concern and we



don't have legal authority at this time to enter into an agreement with a private firm such as this. I am in the process, at the suggestion of the Commission and the Director, of contacting our attorney to get a ruling on how or if we can enter into such an agreement. Consequently, it was our decision to go ahead and bring the matter up with the Texas Fish and Game outfit since they are the legal fish and game agency in Texas. This is why it was not brought up at this time.

THE CHAIRMAN: Thank you, Kenneth. I just wanted an explanation of that so people might know.

MR. BERRY: We are only going to get 12-1/2 percent of those fish back because half of that lake belongs to Texas! We ought to have some of these fish on our side of the lake, too.

THE CHAIRMAN: That is a typical Texas proposal! Joe.

MR. JOE HERRING: Thank you, Mr. Chairman. The first item we have on the agenda is a request from Roy Aguillard, Director of the Department of Public Works and also Chairman of the Red



River Waterway Commission, acting for the U. S. Corps of Engineers, asking for permission to enter our Three Rivers Wildlife Management Area for the purpose of making surveys and soil borings for revetment work along the Red River. This work would be in Sections 11 through 28 of Township 3 North, Range 7 East, in Concordia Parish.

Since we are losing some land on this area due to washing into the Red River, I would recommend that we grant this permission to the U. S. Corps of Engineers for entrance into the Three Rivers Wildlife Management Area. However, I would like to make one stipulation in there, that any roads or access areas that are damaged, that the U. S. Corps of Engineers repair these and put them back into the existing condition that they found them. Most of the work will be done, though, from the water area, rather than land.

I would recommend to the Commission that we grant permission to the Corps of Engineers.

MR. BERRY: So move.

MR. DUPUY: Second.

THE CHAIRMAN: It has been moved by Mr.



Berry, seconded by Mr. Dupuy. All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Motion carried.

(Text of the resolution
is here made a part of
the record.)

WHEREAS the Red River Waterway Commission has requested for the U. S. Corps of Engineers ingress and egress rights on Three Rivers Wildlife Management Area, and

WHEREAS this request is for the purpose of making surveys and soil borings for the planning and construction of bank stabilization work over a reach of the east bank of Red River, and

WHEREAS this is for revetment work in Sections 11-28, T3N, R7E, Concordia Parish, and

WHEREAS these banks are washing



and we are losing land on our Three Rivers Wildlife Management Area,

NOW THEREFORE BE IT RESOLVED that this request be granted with the stipulation that the U. S. Corps of Engineers repair any road damage caused by these operations on Three Rivers Wildlife Management Area.

MR. HERRING: Gentlemen, the next item we have pertains to our Russell Sage Wildlife Management Area in Ouachita Parish. As you will recall, many of the roads and bridges were damaged during the flood of 1973. On this we asked the State Highway Department to make an estimate of the damages and then draw plans and specifications for repairs to these damages through the Federal Disaster Assistance Administration.

The Department of Highways has done this. They have gone out on bid for the work for repairs and the State Highway Department received two bids back for this work, one from J. T. Richardson Company for \$81,547.98, and the low bid was from Sims Construction Company of Monroe, Louisiana, in the



amount of \$60,910.93. This work will be reimbursed to the Commission through the Federal Disaster Assistance Administration and we have discussed this with them since the bid was over what they did allow on what they estimated the damages to be. However, in discussions with them, they said to go ahead, that we could go through with this contract here and that they would make up the difference of the contract.

I would recommend on this basis that we notify the State Highway Department to award the contract to Sims Construction Company in the amount of \$60,910.93.

THE CHAIRMAN: You have heard the recommendation. Do I have a motion?

MR. LAPEYRE: I so move.

MR. BERRY: Second.

THE CHAIRMAN: Moved by Mr. Lapeyre, seconded by Mr. Berry. All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Motion carried.



(Text of the resolution
is here made a part of
the record.)

WHEREAS the State Department
of Highways has received bids for
repairs of roads and bridges damaged
during the flood of 1973, and

WHEREAS this work will be
reimbursed by the Federal Disaster
Assistance Administration, and

WHEREAS the low bid received
was in the amount of \$60,910.93, includ-
ing 2 percent contingencies, from Sims
Construction Company, Inc., Route 2,
Box 35A, Monroe, Louisiana, and

WHEREAS the State Department
of Highways has recommended this as a
good bid,

THEREFORE BE IT RESOLVED that
the Louisiana Wild Life and Fisheries
Commission accept this low bid of
\$60,910.93 from Sims Construction
Company and so advise the State Highway



Department so that work can be started.

MR. HERRING: Mr. Chairman, the next item we have, we have received a request from the Department of Navy here in New Orleans for the Coastal Rivers Division Twenty-Two to conduct unconventional warfare tactics in the Honey Island Swamp and this is to include a portion of our Pearl River Wildlife Management Area.

They have made some visits to this area and they say that it is more or less like what they would like to train their troops in in unconventional types of warfare and so they have requested of the Commission permission for their boats to enter into the Pearl River Wildlife Management Area. They will only make a few landings, actually on the land area there, and the landings they make, the personnel will remain near the water's edge. There will be about 150 personnel involved in this operation. However, only about 15 at a time will be around the Pearl River Wildlife Management Area. The others will be supporting personnel who will be working out of NASA for these operations.

We have discussed this with them and they



have assured us that as far as ecology there they will do no damage to it; they will just make their landings on the bank and they will stay near the water's edge.

I would recommend to the Commission that we go ahead and grant the Department of Navy permission to have these operations.

THE CHAIRMAN: You have heard the recommendation. Is there any discussion?

MR. BERRY: I so move.

MR. LAPEYRE: Second.

THE CHAIRMAN: It has been moved by Mr. Berry, seconded by Mr. Lapeyre. All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Motion carried.

(Text of the resolution
is here made a part of
the record.)

WHEREAS the Department of the
Navy, Coastal Rivers Division Twenty-Two,



is planning to conduct its annual two-week active duty for training for assigned Naval Reservists from 3 to 14 June, 1974, and

WHEREAS it is planned to conduct the training in the Pearl River-Honey Island Swamp area, using the NASA Mississippi Test Facility as a base of operations, and

WHEREAS only blank ammunition will be used in the exercise and operations will be conducted on the waterways with only a few personnel going ashore and staying close to the water,

NOW THEREFORE BE IT RESOLVED that this request be granted to the Department of the Navy, Coastal Rivers Division Twenty-Two, to conduct unconventional warfare tactics in the Pearl River-Honey Island Swamp area.

MR. HERRING: Mr. Chairman, the next item we have pertains to a ratification of approval of extension on the Spring Bayou and Saline head-



quarters facilities which are now being constructed. Due to the high water that we have had in the Saline area and also the Spring Bayou Wildlife Management Area during the spring, the contractors were hindered in their work. They had trouble getting the materials and supplies in and they have had trouble recently in putting in the septic tanks and the other lines that do go underground there and it has hindered their work.

The architect for these two projects asked for an extension of time. We discussed this also with the Federal Disaster Assistance Administration who are replacing these buildings for us, and they had no objection to an extension of the project since it was high waters during this spring that were interfering with the activities. The contracts were running out so we talked to the State Division of Administration on this and they had no objection to granting an extension on these two contracts. With this then we prepared a letter for Mr. Angelle to the State Division of Administration, requesting an extension of 90 days. We have received this extension from the Division of



Administration and so I would like to recommend and ask of the Commission to ratify at this time those extensions.

THE CHAIRMAN: Is there any discussion?
Do I have a motion?

MR. LAPEYRE: I make the motion.

MR. WILLE: Second.

THE CHAIRMAN: It has been moved by Mr. LaPeyre, seconded by Mr. Wille. All those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: All opposed, no.

(No response)

Motion carried.

(Text of the resolution
is here made a part of
the record.)

WHEREAS spring high waters on
the Saline and Spring Bayou Wildlife
Management Areas have hindered work
on these structures, and

WHEREAS roads under water
hindered getting materials and



supplies in and also hindered septic tanks and field line construction, and

WHEREAS an extension of time was recommended by the architect, and

WHEREAS, due to time running out on the contract, this was discussed with contractor, architect, Division of Administration and Director Angelle, and approval was granted for an extension,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission ratify and approve the extension on these two contracts for a 90-day period.

MR. HERRING: Mr. Chairman, the next item that we have is for a lease of one acre of land on our Peason Ridge Wildlife Management Area from the Department of Army. We have a lease on the overall Peason Ridge area for a 25-year period. However, there is one acre that we wish to lease separately from the Army so that we can use this for a storage area for our tractors and other types of farm equipment and other equipment, too, that



we use in our normal activities on the Peason Ridge Wildlife Management Area.

On this one acre of land we will put an anti-personnel fence around the area for security purposes, for the protection of our equipment, and the Army felt it better that we get a separate lease for this one acre of land. However, it will be within the Peason Ridge area and it will still be under the normal 25-year lease period but it will be for exclusive use of the Louisiana Wild Life and Fisheries Commission.

I would recommend to the Commission at this time that we do approve the lease agreement that they have prepared for this one acre of land.

THE CHAIRMAN: Is there any discussion?
Do I have a motion?

MR. WILLE: I move.

MR. DUPUY: Second.

THE CHAIRMAN: Moved by Mr. Wille,
seconded by Marc Dupuy. All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No reponse)



THE CHAIRMAN: Motion carried.

(Text of the resolution
is here made a part of
the record.)

WHEREAS the Louisiana Wild
Life and Fisheries Commission has
requested from the Department of the
Army, Fort Polk, for a lease on one
(1) acre of land on Peason Ridge Wild-
life Management Area, and

WHEREAS this area will be
used for storage of tractors and other
equipment used by the Louisiana Wild
Life and Fisheries Commission when
working on Peason Ridge Wildlife Man-
agement Area, and

WHEREAS an anti-personnel
fence will be placed around this area
for security purposes, and

WHEREAS the Department of
the Army is making this land available
for exclusive use by the Louisiana Wild
Life and Fisheries Commission,



NOW THEREFORE BE IT RESOLVED
that this lease for one (1) acre of
land on the Peason Ridge Wildlife
Management Area be approved for use by
the Louisiana Wild Life and Fisheries
Commission.

MR. HERRING: Mr. Chairman, the next
item that we have on the agenda was a request from
the Service Right-of-Way Company of Lafayette,
Louisiana, who is working for Dow Chemical Com-
pany for the placement of one eight-inch pipeline
across our Sabine Island Wildlife Management Area.

As you may recall, about two months ago
we granted them permission for a survey and work
on this area. However, after the surveys, they
have come back and requested of the Commission that
they would like to move the location of this pipe-
line and have the new pipeline run parallel to an
existing pipeline of Cities Service Company, which
would be better really for our part to have both
lines together.

They are asking permission from the Com-
mission to change the location of this. In any



agreement that we would make with them, it would fall under the same agreement that we make with other pipeline companies, that they would bury their pipeline a minimum of two feet and we would have the normal charges for right-of-way to their company that we make to other companies crossing our lands, and the Commission will have the right to develop this right-of-way for wildlife food plots, and then Dow will repair any access route on this area that would be destroyed or damaged by the activities that they would do on this area.

THE CHAIRMAN: Is there any discussion?
Hearing none, do I have a motion?

MR. DUPUY: So move.

MR. WILLE: Second.

THE CHAIRMAN: Moved by Marc Dupuy and seconded by Mr. Wille. All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: All opposed, no.

(No response)

Motion carried.

(Text of the resolution
is here made a part of



the record.)

WHEREAS Service Right-of-Way Company has requested a change of location for permission to survey for a proposed pipeline route through our Sabine Island Wildlife Management Area, and

WHEREAS the original permission was granted at the October, 1973, Board meeting, and

WHEREAS their new request is to run parallel to an existing Cities Service Company pipeline, and

WHEREAS the Louisiana Wildlife and Fisheries Commission will have the right to develop right-of-way for wildlife, food plots, and

WHEREAS the Louisiana Wildlife and Fisheries Commission or other designated persons will have ingress and egress rights over said pipeline, and

WHEREAS the pipeline will be



buried a minimum of three feet,

NOW THEREFORE BE IT RESOLVED
that permission be granted to the
Service Pipeline Company to survey
and construct one eight-inch pipeline
parallel to the existing Cities Ser-
vice Company pipeline but before any
work begins the pipeline company pro-
posing to do the work will meet with
personnel of the Louisiana Wild Life
and Fisheries Commission to draw up
plans so that the pipeline will not
damage our wildlife resources; that
normal cost of right-of-way, damages
to wildlife and forest be paid to
the State of Louisiana by the Company.

MR. WILLE: Mr. Chairman, I have some-
thing before we go into the other business here.

THE CHAIRMAN: We have one other item
but you go ahead, Mr. Wille.

MR. WILLE: We have one thing. At the
last regular meeting of the Wild Life and Fisheries
Commission we made a proposal to adopt a resolution



concerning the Louisiana Wild Life Federation. We are going to read it into the minutes today and for the benefit of those Board members that were not present in Shreveport, who could not make it because of other commitments, the resolution reads as follows:

WHEREAS the Louisiana Wildlife Federation is the single organization most responsible for the creation of the Commission form of administration for the wildlife and fisheries resources of the State of Louisiana, and

WHEREAS the Federation has twice protected the Commission form of administration from attempts to remove the law creating it from the constitution, and

WHEREAS, the Federation continually served as a driving force for the wise management and usage of our God-given natural resources,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries



Commission, in formal meeting convened, does hereby express its appreciation to the members of the Louisiana Wildlife Federation for the interest, guidance and aid extended to the Commission in years past, and

BE IT FURTHER RESOLVED that the Louisiana Wildlife and Fisheries Commission respectfully requests continued interest, guidance and aid from the Louisiana Wildlife Federation in future years in order that we can do our utmost to make the State of Louisiana a true "Sportsman's Paradise."

This is to be read into the minutes of this meeting and, Edgar and Dick, we are in the process now of making some good copies of this thing so that you will receive them in the very near future. We can't thank you enough, really. I mean you guys have been great in working with us.

MR. VEILLON: Thank you.

THE CHAIRMAN: Item 18, Mr. Dupuy.



MR. DUPUY: Mr. Chairman, I don't know whether myself or the Director would like to speak on this. It is a simple request from the Rapides General Hospital for use of a radio tower.

In September of last year we resolved that there be no private use of the State's facilities for radio tower use. The Rapides General Hospital is not a private organization but it is a non-profit and parish and public-operated facility. It has requested of the Director use of the radio tower in Pineville, in Alexandria, for its facility, in order to put units and ambulances in service at the hospital. There is apparently no technical objection to it with regard to the use of the tower itself and I would like to see that we grant this request.

MR. BERRY: I believe Mr. Smothers did say yesterday that there would not be any trouble unless their frequency was too close to ours and if so, that would cause some problems. I would like to pursue this subject by having him check the frequency to make sure that it will not interfere with our operations.



MR. DUPUY: I understood there was no technical objection but, of course, if there is, we would not do so.

THE CHAIRMAN: Of course, we want also to secure the approval of our Director because he has to handle these problems. We do not. Do you have any comments, Mr. Angelle?

DIRECTOR ANGELLE: I have no comment. I understand we have a policy dealing with the public use of our towers, dealing with political subdivisions or a public hospital, and if we have no technical problem with it, I would recommend that we grant this request.

THE CHAIRMAN: You have heard the recommendation of Mr. Angelle, that if there are no technical problems that we grant this permission. Do I have a motion?

MR. BERRY: So move.

MR. WILLE: Second.

THE CHAIRMAN: Moved by Mr. Berry and seconded by Mr. Wille. All those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.



(No response)

THE CHAIRMAN: The motion carries. Mr. Dupuy, you wished to present a resolution requesting support of the Commission of the constitution.

MR. WILLE: I was just going to say that we have a resolution here from the Louisiana Wild Life and Fisheries Commission in support of the proposed constitution, CC-73. Mr. Dupuy has drafted a proposal. I would like to have Mr. Dupuy read the proposal at this time.

MR. DUPUY: Gentlemen, I don't know whether it is necessary to read the text of the resolution. It might be better to read it in order not to misunderstand it, and so rather than comment on it and just adlib on it, I will go ahead and proceed to read the resolution itself.

WHEREAS the Louisiana Constitutional Convention has completed its historic work on revision of the Louisiana Constitution; and

WHEREAS the Honorable Edwin W. Edwards, Governor of Louisiana, has called for a public election on the



twentieth day of April, 1974, for approval of the proposed new Constitution; and

WHEREAS the revision and improvement of the present Louisiana Constitution is one of the most important matters that can be considered by the citizens of this State; and

WHEREAS the proposed new Constitution offers a stronger and better constitution than the present one, although it is readily acknowledged that it is not a perfect document in an area of law where perfection has never been and probably never will be achieved; and

WHEREAS the proposed new Constitution eliminates obsolete and non-substantive provisions that should not be in the Constitution of this State; codifies and condenses substantive matters of law where briefness



and conciseness are needed; decentralizes and broadens the powers of all levels of government and is a great improvement in the provisions dealing with local government; it places the executive branch in a more manageable posture; it allows the legislature to act with more time for decision, allowing benefit of local input; it enhances public confidence in government and efficiency in decision-making by consolidation of government into a cabinet form of twenty departments; and it eases the amendment burden after the first session following the adoption; and

WHEREAS the entire document is worthy of approval and adoption by the people of Louisiana,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission support the adoption of the proposed new Constitution and urge its approval by the electorate of Louisiana.



THE CHAIRMAN: Gentlemen, you have heard the resolution. I now request that those in favor of adopting the resolution let it be known by raising your right hand. Anyone opposed by the same sign.

(Show of hands in favor.)

The resolution is adopted.

MR. DUPUY: I have one observation to make before you close. Is there any other matter?

THE CHAIRMAN: No other matters. Does anyone else have anything to bring up? Anybody from the audience want to address the Board? Come to the mike, please, and state your name and what organization you represent.

MR. RANDOLPH LABAUVE: My name is Randolph LaBauve and the present Commissioners know a little bit about me already.

My gripe today is that the local news media didn't even know they had anything coming up about gill nets over here today until I was called last night at ten o'clock. The gill net issue here today evidently pertains to the Chandeaur area. What I would like to know about this



gill net issue is why is it all the time small commercial fishermen, the burden is all the time on him when they are going to shut down any area. The sport fishermen they never set any regulations on the size, limit, the amount of fish these people catch or they can sell on the commercial market like we do.

When you adopt these resolutions, I think the commercial fishermen, the Department should show the courtesy to let people who are concerned with this -- in particular we have an issue in Terrebonne and Lafourche Parishes over gill nets, and it is a real concern to us. Senator Duval sent me a letter personally and said any time anything pertaining to gill netting would come up that I would be notified. Our local news media didn't even know anything was coming up at this meeting today.

I found out last night. I talked to one of the biologists from this department and they didn't even know they were going to have a meeting pertaining to gill nets or anything else. Even though it don't concern our area of gill nets, it



is still commercial fishermen and the commercial fishermen had no strong enough organization, the small commercial net fishermen, to defend ourselves against sportsmen organizations.

These people all the time want to protect our fish and make a sportsman's paradise of Louisiana. If they do, why don't they protect the redfish when they are spawning? Redfish over 12 pounds, to my knowledge, is the ones that spawn. We have big redfish rodeos. They are slaughtered every year by the thousands, bull redfish, and they are not even good for food consumption even. Speckled trout at the time they are spawning -- I can see a time when you can shut down an area because they are spawning, but at the same time don't just tell a net fisherman he can't use the equipment to make his living and by the same token a sport fisherman can go out there with rod and reel and catch them by the garbage can full and go sell them on the commercial market.

If they are going to regulate wildlife and have wildlife management, I think a qualified biologist should go out there and determine when



these fish are spawning and set two months a year when the fish are spawning, and we will hang up our nets, but when you make us hang up our nets that we make a living with, these sportsmen should also have a limit, like the black bass or the fresh water fish.

When they take all this into consideration when they go to the legislature -- this last gill net law they passed in Terrebonne and Lafourche Parish, nobody knew anything about this. One representative went up there and said, "We want to shut down a half-mile seaward on account of you are destroying all the fish," and then what did they turn around and do? They say a man can come in there with a purse seine 500 feet from our shores, which does more damage than the type net we are using.

Are these people really interested in management of wildlife or just particular groups that are interested in sportsmen's organizations for their own benefit? On this gill net issue today -- I got in a little late on account of the weather and I wasn't notified, didn't know anything



was coming up on this thing -- and I got to go into court on the 29th on an issue now to determine the boundary lines and so on and so forth -- and my understanding is when they are going to set an area aside as a management area for conservation, that these areas should be posted.

When a man can go to jail and be fined and everything else, he should have some fair notice. You go out in the Gulf and these lakes. We can't tell where Terrebonne and Lafourche Parish begin unless there is a sign somewhere to tell you where you are at, but still they can come out there and take your nets and your equipment and the law says that the district attorney is supposed to return our nets, our shrimp and everything else. This law has never been enforced. For twelve years I had shrimp taken away from me, fish taken away from me, and everything else, and what happened? I go into court, I am found not guilty. You take legal action, civil suit. They never pay you anything. It costs me long distance telephone calls, attorney fees. I am a small fisherman. I don't have a big \$8,000-\$10,000



boat. These people, the real sports fishermen, I am not against these people. These people are going out for home consumption. There should be a distinction between a sports fisherman and a commercial fisherman. When a man goes out there and catches fish with a rod and reel, and if he is from Baton Rouge, New Orleans, no matter where he is from, he comes there, he comes there and catches that fish and hauls it to the restaurants and everywhere else and sells them.

Now we have got a season, net fishermen. They tell us you can't fish fish and put them on the commercial market. Well, I say if they are going to make the sports fishermen a special thing on the redfish, let's make it sports fishermen all the way. Let's put a limit like the red fish and the fresh water fish and then we will pick up our nets and we will go and guide and show these people where they can catch fish. We will catch mullets and stuff like that and rig them up like they do in Florida. We find mullets right down here at \$3 to go fishing with for two mullets. Our course is full of mullets, completely undeveloped. In



the world today we need protein, we need food. The cost of living continues going up. Instead of trying to develop the commercial aspect of Louisiana, the only thing this department seems to be developing in the past was the sport aspect.

Gill nets are actually a modern method of catching fish. Not modern, modern to this area, and they want us to continue using old type nets instead of going to more modern equipment.

Maybe I talk too much. I get kind of mad. I want to apologize for running my head so much but I don't think the small commercial fishermen are getting a fair shake in a lot of these things.

THE CHAIRMAN: All right. We are glad to have you. Thank you. Mr. Veillon.

MR. VEILLON: I would like to mention that the agenda was published in this Sunday's paper, The Times-Picayune. The agenda was published.

THE CHAIRMAN: Yes, sir. Mr. Angelle.

DIRECTOR ANGELLE: This is what I wanted to comment on. Mr. LaBauve mentioned the fact



that he was not notified but we notified the press and on 3-19 the press release went out that the gill netting issue was to be taken up at today's meeting, Randolph. Now we have no control of who prints what.

THE CHAIRMAN: You will have to read your newspaper.

MR. WILLE: Mr. LaBauve, there is one other thing we might bring up at this time. The only place that we are restricting the use of the gill net is in the area where we already had a restriction on netting, and the reason that we are doing it is because it was left out of the present law, the word "gill net" was left out of the law and we don't want to misprosecute anybody.

MR. LABAUVE: I realize that.

MR. WILLE: This is going to be a restricted area, no matter what happens. It is a sanctuary.

MR. DUPUY: Are you ready to adjourn?

THE CHAIRMAN: I have one more announcement. I want to remind you gentlemen that the next regular meeting of the Wild Life and Fisheries



Commission will be held here April 29 and 30, so mark your calendars.

MR. BERRY: I move we adjourn.

MR. DUPUY: Mr. Chairman, before you adjourn, I want to make just an observation that is not a matter for the agenda.

Mr. J. Burton Angelle has received recognition that has been richly deserved and properly due for his outstanding contributions to the conservation of our wildlife resources. Last week he was the recipient of the Governor's Award as Conservationist of the Year during the Louisiana Wildlife Federation meeting. He has done an outstanding job. I think the recognition is really due and, for the benefit of you who do not know that fact, I just wanted to make that observation.

THE CHAIRMAN: Ladies and gentlemen, this is not to be published, but I have always had one complaint about Mr. Angelle -- he only works 20 hours out of the 24 and maybe somehow we can persuade him to work part of the other four! The man has been one of the best that we have ever had, and I appreciate your comments, Mr. Dupuy.



DIRECTOR ANGELLE: Mr. Chairman, may I respond?

THE CHAIRMAN: Yes, sir.

DIRECTOR ANGELLE: Mr. Chairman and Members of the Commission and fellow employees, staff members, I was deeply moved when informed that I was to be awarded the Conservationist of the Year Award. I accepted it with deep humility. I accepted it in behalf of the undivided cooperation of our Commission members in this Louisiana Wild Life and Fisheries. I have accepted this in behalf of all our sincere, hard working and dedicated Commission employees who have also given me their undivided cooperation. I have accepted this in behalf of my family who has shared me with the works of the Commission, I hope willingly, and I am looking forward to greatness in this Louisiana Wild Life and Fisheries Commission in years ahead. To all these people, I thank them from the bottom of my heart in the name of the Commission.

(Applause)

THE CHAIRMAN: Is there any other comment?

MR. WILLE: We need to tell them where



we are going to have the meeting. Is the meeting going to be here or out at the airport?

DIRECTOR ANGELLE: Mac, have you set the meeting for here for the April meeting or will it be held in a larger area because of the setting of the shrimp season, which I think there will be a few people interested in attending.

MR. SUMMERS: The Hilton Inn is the shrimp meeting but the Commission meeting will be here.

DIRECTOR ANGELLE: You have a shrimp meeting prior to the regular board meeting.

THE CHAIRMAN: At the Hilton Inn and the Commission meeting will be here?

DIRECTOR ANGELLE: Are you in a position to make an announcement for the benefit of the press and the people involved?

MR. SUMMERS: The meeting between representatives of industry and our technical staff is scheduled for the Hilton Inn for the Friday, April 26. The following Monday and Tuesday, I suppose here will be the regular Commission meeting.

DIRECTOR ANGELLE: Correct. In other



words you are having a field meeting prior to the Commission meeting, and that will be held at the Hilton Inn here in New Orleans.

MR. SUMMERS: That is correct. This is where all the data is reviewed and discussed with industry prior to making recommendations to the Commission at its regular scheduled meeting just following that meeting.

THE CHAIRMAN: We are adjourned, gentlemen.

. . . Thereupon, at 11:25 o'clock a.m., Tuesday, March 26, 1974, the regular monthly Board meeting of Louisiana Wild Life and Fisheries Commission was adjourned. . . .

Kathryn G. Chamberlin,
Reporter

